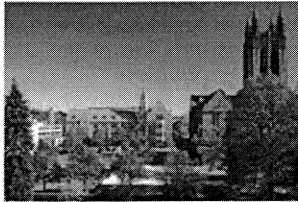


**EXHIBIT B**



## STUDENT GUIDE HOME

From the Dean of Students

Section 1. Student Life Resources

Section 2. Academic Resources

Section 3. General Policies

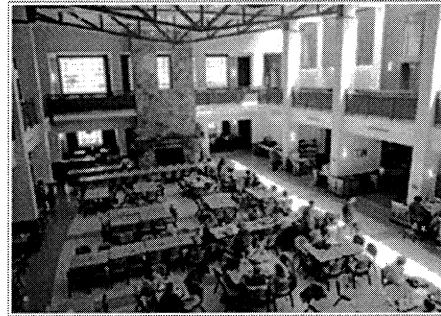
## Section 4. Code of Student Conduct

Section 5. Student Conduct System

[bc home](#) > [media and publications](#) > [student guide](#) > behavioral

## Section 4. Code of Student Conduct

### 2018-2019 STUDENT GUIDE



#### ON THIS PAGE

- > [Statement of Rights and Responsibilities](#)
- > [General Provisions](#)
- > [Substance Use & Abuse Policies](#)
- > [Respect for Persons](#)
- > [Respect for Property](#)
- > [Respect for the Community](#)
- > [Other Violations](#)

### 4.0 CODE OF STUDENT CONDUCT

Being a member of the Boston College community is a privilege, which comes with the responsibility to act in accordance with all institutional rules and policies. The Code of Student Conduct exists to provide information on these behavioral expectations and to articulate the process of addressing violations of these expectations.

As a Jesuit Catholic institution, Boston College is committed to the holistic development of our students, and part of this commitment is instilling integrity, encouraging right decision-making, and fostering self-accountability. Each student is expected to grow and develop during their time here, to be more than when they began their journey at BC. The goal of the Code of Student Conduct is to facilitate this growth by educating and fostering the civility, communality, and social decorum required of an educational institution.

#### 4.1 STATEMENT OF RIGHTS AND RESPONSIBILITIES

*Source: Office of the Dean of Students*

All student members of the Boston College community have certain rights. These include:

- The right to learn, which includes the right of access to ideas, the right of access to facts and opinions, the right to express ideas, and the right to discuss those ideas with others.
- The right of peaceful coexistence, which includes the right to be free from violence, force, threats, and abuse, and the right to move about freely.
- The right to be free of any action that unduly interferes with a student's rights and/or learning environment.
- The right to express opinion, which includes the right to state agreement or disagreement with the opinions of others and the right to an appropriate forum for the expression of opinion.
- The right of privacy.
- The right to have access to a process through which to resolve alleged deprivations of rights.
- In the case of conduct procedures:
  - the right to be informed of any charges of misconduct,
  - the right to an opportunity to respond to the charges,
  - the right to hear evidence in support of the charges,
  - the right to present evidence against the charges,
  - the right to an adviser of choice,

- the right to a fair procedure, which is appropriate to the circumstances,
- the right to be informed of the outcome of a disciplinary proceeding.

As members of a learning community, all student members of the Boston College community have certain responsibilities to the institution and to its members. These include:

- Respect for the rights of others, which includes the obligation to refrain from conduct that violates or adversely affects the rights of other members of the Boston College community.
- The obligation to refrain from behavior in the general community that adversely or negatively reflects on Boston College.
- The obligation to refrain from interfering with the freedom of expression of others. This includes such activities as newspaper thefts, attempting to shut down speakers, and intentional interruption of networks, servers, etc.
- The responsibility for the avoidance of force, violence, threat, or harassment.
- The responsibility for the avoidance of disruption. Certain kinds of conduct can convert the expression of opinion into disruption. The Student Demonstrations policy describes the procedures and limitations appropriate to the public expression of opinion.
- The responsibility to comply with state, federal, and municipal laws and regulations. Student members of the Boston College community must be aware that they continue to be subject to the obligations of all citizens while they attend the University. There is no immunity on campus from state or federal law.
- The obligation to ensure that the conduct of others who come to the University through a student's invitation or permission complies with the rules and regulations of the University.
- The obligation to respect the environment of Boston College, which includes respect for the physical features of the campus and its facilities as well as the special needs of an institution of learning, such as quiet and privacy.
- The obligation to provide proper identification when requested to do so by a representative of the University. All students are expected to carry their Boston College identification card at all times and to produce it when requested. ID cards may be electronically verified by a University official to confirm a student's status.
- The responsibility to cooperate with University officials and law enforcement personnel in the performance of their duties.
- The responsibility to respect the values and traditions of Boston College as a Jesuit, Catholic institution.

## **4.2 GENERAL PROVISIONS**

### **4.2.1 Academic Policies**

Students are expected to maintain high standards of integrity in their academic work and comply with the University's academic policies and procedures. See the University's [Academic Integrity Policy](#) within the [Academic Policies and Procedures](#).

### **4.2.2 Complicity**

A student shall not, through act or omission, assist, facilitate or encourage a violation of the Code of Conduct.

### **4.2.3 Conditions of Residency**

Students residing in Boston College residential facilities are held by the policies and procedures of the Student Guide as well as the Conditions of Residency, which includes the Fire Safety and Security Policies. These documents can be found at [Residential Life Community Expectations](#).

### **4.2.4 Guest Policy**

Students are responsible for ensuring that their guests know and adhere to the Code of Student Conduct and all other applicable University policies and procedures. Students are responsible for the behavior of their guests and may be held accountable for violations committed by their guests, including restitution for damage to University facilities or other restitution as necessary. Responsibility under the rules may occur even if the host is not a

participant in the activity or has left the guest(s) alone. Students residing in Boston College residential facilities must follow all policies regarding guests, as listed in the [Conditions of Residency](#).

### 4.3 SUBSTANCE USE AND ABUSE POLICIES

Boston College abides by all local, [state](#), and [federal](#) laws with regard to alcohol and drug use and requires that all students do the same, in addition to adhering to the University's policies.

#### 4.3.1 Alcohol Policy

Students under the age of 21 years are prohibited from possessing, using, being in the presence of, purchasing, transporting, selling, and/or distributing alcohol.

Regardless of legal drinking age, all students are prohibited from:

- possessing or consuming an open container of alcohol in on- or off-campus public or common areas (e.g., Campus Green, outdoors, lounges, hallways, etc.).
- consuming alcohol resulting in the need for medical attention. Situations where an individual seeks medical attention for him/herself or for another Boston College student will be handled according to the [Seeking Help for Alcohol and Drug Related Emergencies policy](#).
- engaging in drunkenness and disorderly conduct.
- possessing, furnishing, consuming or serving from a large quantity or common source of alcohol (i.e. kegs, beer balls, punch bowls).
- Hosting or participating in the rapid consumption of alcohol, including high-risk drinking games.
- Enabling underage alcohol consumption. A student will be considered to be enabling the underage consumption of alcohol if the student possesses or has alcohol present in their residence for use by others, *regardless of who purchased or acquired the alcohol*. The student is also responsible for misconduct if the student passively allows illegal alcohol or drug use to occur within their residence hall room or off campus residence, or otherwise provides a setting that allows for the underage consumption of alcohol.

For specific guidelines pertaining to alcohol use and abuse within the residence halls, refer to the [Conditions of Residency](#).

#### 4.3.2 Drug Policy

The University prohibits the possession, use, consumption, manufacturing, sale or distribution of drugs, as well as the possession, use, manufacturing or sale of drug paraphernalia. Additionally, the possession of drugs with intent to deliver, sell or manufacture is prohibited.

The term "drugs" broadly includes, without limitation, any stimulant, intoxicant (other than alcohol), nervous system depressant, hallucinogen, or other chemical substance, compound or combination when used to induce an altered state, including any otherwise lawfully available product used for any purpose other than its intended use (e.g., the misuse of prescription drugs, over the counter drugs, or household products).

The institution classifies drugs into three broad categories:

- marijuana,
- illicit drugs, and
- misuse of prescription drugs

**Marijuana:** Although Massachusetts law permits the recreational use of marijuana by adults over the age of 21, Boston College does not. The possession, use, consumption, manufacturing, sale or distribution of drugs, including marijuana, by students or employees is prohibited. Federal law prohibits the possession, use, purchase or sale of marijuana. The policy complies with the requirements of the federal [Drug-Free Schools and Communities Act](#). Under this federal law, as a condition of receiving federal funds, an institution of higher education such as Boston College must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by

students and employees on campus and as part of its activities and programs. Under federal law, this includes any amount of marijuana.

Illicit Drugs: Cocaine, heroin, ecstasy (MDMA), amphetamines, methamphetamines, hallucinogens (i.e. LSD, psilocybin mushrooms), and similar substances are considered to be illicit drugs due to the severe negative health and safety outcomes associated with their use.

Misuse of Prescription Drugs: Misuse of prescription drugs, including opiates/pain-killers (i.e. morphine, oxycodone), stimulants (i.e. Ritalin), sedative-hypnotics (i.e. barbiturates, anxiolytics) and other psychoactive drugs, is prohibited. This includes taking a medication that is not prescribed to you, taking more than the prescribed dose of a medication, sharing medication with individuals who are not prescribed such medication, or taking a prescription medication for a reason other than the intended use (i.e. to produce a "high").

The term "drug paraphernalia" broadly includes any material, product, instrument or item used to create, manufacture, distribute, use or otherwise manipulate any drug and includes, but is not limited to hypodermic needles, syringes, bongs or pipes.

#### 4.3.3 Seeking Help for Alcohol- and Drug-Related Medical Emergencies

The health and safety of Boston College students is of paramount concern. As a result, all students are expected and encouraged to seek immediate assistance for themselves or others in situations where help is needed due to intoxication or drug ingestion.

- Students should actively seek assistance for themselves or others, as a result of impairment due to alcohol and/or drug use.
  - Boston College will support and encourage this help-seeking behavior by treating the situation as a health and safety matter, rather than a conduct matter, when students contact emergency responders or university officials (e.g., Resident Assistant, Boston College Police). Additionally, anyone who seeks help or calls for help on behalf of another student may not be subject to action through the conduct system.
- Students who seek and receive medical attention in such situations will be required to complete certain educational and/or counseling interventions and will also be subject to all fees related to their medical care. Failure to complete these referrals would be treated as a conduct matter.
- Students who demonstrate consistent and repeated patterns of seeking help for alcohol and drug related medical emergencies may require further medical review and/or treatment up to mandated medical leaves of absence. The University reserves the right to impose additional sanctions for a student based upon the totality of a specific incident or event.

Regardless of help-seeking behavior, students may be held accountable for misconduct accompanying or incidental to the use and/or abuse of alcohol or other substances. For example, disorderly behavior, violence, property damage, or distribution or intent to distribute may be treated as conduct violations and responded to accordingly.

**For immediate medical assistance, contact the BC Police at (617) 552-4444.**

#### 4.4 RESPECT FOR PERSONS

To foster the sense of communality that is vital for an educational institution to function as a marketplace of ideas, to foster student development, and to encourage cognitive growth, all members of the campus community must respect the rights and contributions of other members of the community. Students are expected to be open to learning, meaningfully engage with difference, and care for others. Boston College expects its members to honor the inherent dignity of other members of our community by being considerate, sensitive, understanding, and concerned for the welfare of others.

##### 4.4.1 Bias-Motivated Offensive Conduct and Hate Crimes

Bias motivated offensive conduct and hate crimes are prohibited. See the [Boston College Hate Crimes and Bias Motivated Offensive Conduct Protocol](#) for policy information, reporting options, and institutional responses.

##### 4.4.2 Discriminatory Harassment

Discriminatory harassment is prohibited. See the Boston College Policies and Procedures Manual for policy information, reporting options, and institutional responses.

#### **4.4.3 Hazing**

Any form of hazing is prohibited by University policy and Massachusetts State Law. For information regarding the University Hazing Policy, see our Hazing Awareness & Prevention page.

#### **4.4.4 Physical Violence**

No form of physical violence or assault is tolerated. This includes, but is not limited to, any physical contact that results in harm or was intended to cause harm, and any fighting/brawling, slapping, spitting, shoving, and restraining. Under no circumstance is physical violence an acceptable means to resolve problems, disputes, or interpersonal relations.

#### **4.4.5 Retaliation**

Boston College prohibits retaliation of any kind against any individual filing a complaint or participating in an investigation or conduct hearing involving a Boston College student. Behavior that may be considered retaliatory includes but is not limited to:

- Discouraging an individual from reporting an incident
- Discouraging witness participation
- Threatening or intimidating a participant in a hearing or investigation
- Intentionally causing negative consequences for a participant in a hearing or investigation or for a participant's personal relationships or social circles

#### **4.4.6 Sexual Misconduct**

Students are expected to abide by the Sexual Misconduct Policy.

#### **4.4.7 Threats**

Threats are prohibited as are any actions that stigmatize, threaten, or endanger another individual's emotional or mental well-being or causes another to reasonably fear for his/her safety.

### **4.5 RESPECT FOR PROPERTY**

The efficient and mutually beneficial functioning of an educational community requires the responsible use of all property, including buildings, green spaces, tangible goods intellectual property, technology, and equipment. Respect for property also involves helping to foster a positive and supportive environment. A sense of security, tranquility and accomplishment are all essential to the learning endeavor. This principle requires students to respect personal and institutional property, inside and outside the Boston College community.

#### **4.5.1 Property Damage**

Any damage, destruction, vandalism or defacement of property is a serious offense. A student found responsible for property damage may be required to reimburse the University and/or the property owner for the damage or loss, in addition to receiving disciplinary sanctions.

#### **4.5.2 Theft/Possession of Stolen Property**

Theft is the unauthorized taking, misappropriation, or use or possession without approval of property belonging to another person or entity. Additionally, failing to tender payment for services rendered (e.g., taxi fare evasion, etc.) constitutes theft.

#### **4.5.3 Information Technology (IT) Use**

Students must abide by all University policies governing the use of technological resources, including the Use of Technological and Information Resources Policy and the Copyright Compliance Policy.

### **4.6 RESPECT FOR THE COMMUNITY**

Students are expected to conduct themselves with the social decorum and respect for the rights of others required of an educational institution. Upholding the reputation of the University through proper citizenship within the community is essential in maintaining the

educational and developmental reputation of the institution, which is vital in preserving the standing of Boston College within our global community.

#### **4.6.1 Community Disturbance**

Each student is expected to demonstrate responsible citizenship and to not participate in or create conditions that disrupt the University or the larger community (e.g., excessive or unreasonable noise, excessively large parties, or rude and abusive language or behavior). This policy applies to all students while on-campus, off-campus or studying abroad.

#### **4.6.2 Disorderly Conduct**

Disorderly conduct is the unreasonable or reckless behavior by an individual or group that creates a potentially unsafe situation for members of the community or damages property; disrupts the peace or interferes with the normal operation of the University or University sponsored events; and/or infringes on the rights of others.

#### **4.6.3 Failure to Comply**

Students must comply with the requests of University officials, law enforcement, fire, or other public officials acting in the performance of their duties, and they must identify themselves to these persons when requested to do so. Additionally, students are expected to comply with published and/or distributed departmental policies or directives not specified in the Student Guide. Students are also required to complete all sanctions issued as part of the conduct process by the specified due dates.

#### **4.6.4 Providing False Information**

Students may not intentionally provide false or inaccurate information or records to the University or local authorities. This includes, but is not limited to, providing a false report of an emergency, crime, or code violation; providing false statements during a University investigation or proceeding; or falsely activating a campus Emergency Blue-Light Call Box.

#### **4.6.5 Fire-Related Misconduct**

Any conduct that creates a fire or creates a foreseeable risk of fire is prohibited, even if no fire is intended or does occur, including burning trash, starting a bonfire, igniting door decorations or materials on a bulletin board, or possessing or using fireworks. In addition, the misuse or tampering with fire protection devices such as extinguishers, smoke detectors, and alarms is prohibited. Setting off a false alarm may result in University Suspension. Failure to evacuate during a fire alarm is also prohibited.

The Office of Residential Life assigns certain minimum sanctions for violations of the fire safety policies that occur in residence halls. A complete and current list of Safety and Security Policies for the residence halls, as well as sanctions for violations, is available on the Office of Residential Life's website at [www.bc.edu/reslife](http://www.bc.edu/reslife).

#### **4.6.6 Gambling**

Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any athletic event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book, or other device for registering bets; knowingly permitting the use of one's premises or one's telephone or other electronic communication device for illegal gambling; knowingly receiving or delivering a letter, package, or parcel related to illegal gambling; offering, soliciting, or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to sporting events.

#### **4.6.7 Misrepresentation of Identity**

Students may not implicitly or explicitly present themselves as another person or affiliated with an entity they are not through the misuse of identification, forgery, fraud, or other duplicitous actions. It is considered a misrepresentation of identity for any student to alter, deface, or falsify IDs or in any way obtain, conspire to obtain, or possess fake identification. This also includes manufacturing fraudulent IDs (including attempting to manufacture or assisting in the manufacture or distribution of such IDs), conspiring to obtain fraudulent identification and possessing fraudulent identification.

Additional actions which may be considered a misrepresentation of identity include, but are not limited to forgery, the alteration/misuse of any University document, fraudulent acts, or the creation and use of fake online accounts to harass or harm others.

#### **4.6.8 Sexual Activity**

All students have a responsibility to respect the values and traditions of Boston College as a Jesuit, Catholic institution, including adhering to the Church's teachings with respect to sexual activity. Consequently, incidents of sexual intercourse outside the bonds of matrimony may be referred to the Student Conduct System.

#### **4.6.9 Student Demonstrations**

##### **Policy**

Boston College has a longstanding commitment to protecting the right to free expression, including the right to protest. Discourse is central to the life of the university and we encourage students to engage in dialogue in a spirit of mutual respect, civility and care. At the same time, we prioritize the safety and well-being of students who take part in demonstrations and rallies and of other members of our campus community who are affected by these events. Additionally, we must seek to carefully balance the sometimes competing interests of the University and its community to engage in learning, teaching, research and other University-sponsored activities, and to promote the distinctive mission of Boston College without undue disruption or interference.

To ensure that public demonstrations do not violate directly or indirectly the rights of others by preventing or disrupting the ordinary operation of the University, all activities in the nature of a public speech, rally, demonstration, march, protest or other coordinated event ("demonstrations") must be registered and approved in advance by the Dean of Students.

Boston College reserves the right to condition the time, place and manner of proposed demonstrations, and to withhold approval of proposed demonstrations which reasonably appear to be organized by or on behalf of persons or organizations that are not affiliated with Boston College, or which are intended or deemed likely to disrupt or interfere with University operations, or to adversely impact the mission of Boston College, especially its Jesuit, Catholic dimensions.

##### **Process of Approval**

To ensure they are organized by and for members of the University community, all demonstrations must have a University-affiliated Organizer, whether one or more enrolled students or the authorized officers of a recognized student organization. The Organizer must meet with the Dean of Students or his/her designee to coordinate the event and is encouraged to schedule this meeting well in advance. The planned demonstration may be scheduled no less than 2 business days after this meeting. The purpose of the meeting is to review the details of the proposed demonstration including proposed time, place, manner and size of the event. If the Organizer is planning the event on behalf of a recognized club or organization, the advisor to the club or organization should attend this meeting as well.

Reservation of campus space for any approved event is contingent upon availability. To maintain an academic environment free from disruption during class time, the University has established a policy on amplified sound (which may be found in the Student Organization Manual). Under this policy, amplified sound may not be used in areas near academic and administrative buildings or worship and reflection spaces - including O'Neill Plaza - until after 5:00 pm. If a student wishes to register a demonstration and use amplified sound prior to 5:00 pm, this request will be considered and, if approved, an alternative location that is not located near academic and administrative buildings or worship and reflection spaces will be identified.

The Organizer of the event is responsible for all costs associated with the event (including security if deemed necessary by the University). If the Organizer believes they may encounter budget limitations, they should reach out to the Office of the Dean of Students as early as possible to plan for event costs.

If approved, the event must be conducted in accordance with any special conditions outlined in the approval, the guidelines set forth below, all applicable policies set forth in the Code of Student Conduct, as well as local, state, and federal law. The Organizer is responsible to take reasonable steps to ensure compliance with these requirements by all participants, and may be held accountable for violations of such requirements by any persons involved in the demonstration.

By way of example only, demonstrations involving any of the following activities will be deemed disruptive and unacceptable:

- Obstruction or disruption of the affairs of the University or daily operation of the University including, without limitation, teaching, research, public presentations, administration, conduct procedures, worship activities or events, athletic or dramatic events, special University-wide or alumni events, or placement or recruitment services.
- Unauthorized entry to a University facility or grounds and/or failure to leave a University facility or grounds when requested to do so by a representative of the University.
- Obstruction of the entrance or exit to a University facility or a campus roadway.

Organizing or participating in a demonstration without prior authorization may result in conduct action.

#### **4.6.10 Unauthorized Entry**

Students may not intrude on or enter into another person's property without permission. This includes unauthorized entry into restricted University buildings or areas, including athletic facilities, construction sites, and student rooms or offices, even if unlocked, as well as any restrictions that the University imposes for specific events (e.g. during tailgating, Marathon Monday, and Senior Week events). Tampering with locks to University buildings, unauthorized possession or use of University keys, and alteration or duplication of University keys and access cards is prohibited. Climbing on any University building or University owned structure or being present on building roofs is not allowed.

#### **4.6.11 Weapons Policy**

Possessing or carrying a firearm, loaded or unloaded, in any building or on the grounds of Boston College is prohibited, as is the possession of any other dangerous weapon, including any blades in excess of 2.5 inches (e.g., knives, dirges, picks), except for those being legitimately used in the preparation or consumption of food.. The possession of chemical sprays (e.g., Mace, pepper spray, or their derivatives) on the Boston College campus without the authorization of the Chief of the Boston College Police is prohibited. Improper use of laser beam instruments is also prohibited.

#### **Prop/Theatrical Weapons**

Possession of a device that could be reasonably mistaken for a weapon (such as a toy gun, starter gun or theatrical prop) is prohibited on campus, unless approved by the Boston College Police and the Office of the Dean of Students.

#### **4.6.12 Violations of Local, State, or Federal Law**

A violation of any local, state, or federal civil or criminal law is a violation of this Code, even if the specific conduct prohibited by the law is not listed within the Code or the offense is not prosecuted in a court of law.

### **4.7 OTHER VIOLATIONS**

The University reserves the right to bring disciplinary charges against a student for behaviors not specifically identified in the Code of Conduct but which nevertheless violate the principles outlined in the Statement of Rights and Responsibilities set forth in Section 4.1.

<< [back to Table of Contents](#)

>> [go to Section 5. Student Conduct System](#)

**Please note:** These files are Adobe Reader® (PDF) formatted files. To view them, [you will need to download the free Adobe Reader.](#)

Updated: October 4, 2018

Maintained by: Office of the Dean for Student Development

[Accessibility](#) | [Contact](#) | [Feedback](#)

© 2019 The Trustees of Boston College. [Legal](#)